

Zebulon Board of Commissioners
Minutes
May 6, 2019

Present: Robert S. Matheny-Mayor, Curtis Strickland, Dale Beck, Don Bumgarner, Beverly Clark, Annie Moore, Joe Moore-Town Manager, Lisa Markland-Town Clerk, Chris Ray-Public Works, Tim Hayworth-Police, Chris Perry-Fire, Sheila Long-Parks & Recreation, Bobby Fitts-Finance, Michael Clark-Planning, Eric Vernon-Town Attorney

Mayor Matheny called the meeting to order at 7:00pm.

PLEDGE OF ALLEGIANCE

The pledge of allegiance was led by Zebulon Elementary School student, Jenna Dupree.

APPROVAL OF AGENDA

Commissioner Clark made a motion, second by Commissioner Bumgarner to approve the agenda. There was no discussion and the motion passed unanimously.

SCHOOL RECOGNITION

Mayor Matheny recognized student Jenna Dupree and teacher April Pearce, both from Zebulon Elementary School.

PUBLIC COMMENT PERIOD

Amanda Cruz, a ZDAC representative, spoke to the Board about the importance of the arts. ZDAC was recently awarded the Municipal Mural Grant from the United Arts Council which allowed the design of a mural specifically for Zebulon. Additional information would be presented at the June Board meeting. The next art show was scheduled for May 18 and would display art by Tommy Wood.

JuJan Mitchell, President of Delta Sigma Beta Sorority Incorporated explained the chapter had 183 members and planned to volunteer on May 14 at the Boys and Girls Club.

Denise Nowell from the Zebulon Chamber of Commerce spoke about the success of the May Days events. There were close to 100 volunteers at the events.

PROCLAMATIONS

Mayor Matheny read proclamations for the following weeks:

National Clerks Week - Commissioner Bumgarner made a motion, second by Commissioner Clark to adopt the Proclamation for National Clerks Week. There was no discussion and the motion passed unanimously.

National Police Week - Commissioner Beck made a motion, second by Commissioner Bumgarner to adopt the Proclamation for National Police Week. There was no discussion and the motion passed unanimously.

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National Public Works Week - Commissioner Bumgarner made a motion, second by Commissioner Clark to adopt the Proclamation for National Public Works Week. There was no discussion and the motion passed unanimously.

National Historic Preservation Month - Commissioner Beck made a motion, second by Commissioner Bumgarner to adopt the Proclamation for National Historic Preservation Month. There was no discussion and the motion passed unanimously.

CONSENT

A. Minutes

Commissioner Strickland made a motion, second by Commissioner Clark to approve the minutes of the February 21 & 22, 2019 Retreat. There was no discussion and the motion passed unanimously.

Commissioner Strickland made a motion, second by Commissioner Clark to approve the minutes of the April 1, 2019 meeting. There was no discussion and the motion passed unanimously.

B. Finance

Commissioner Strickland made a motion, second by Commissioner Clark to approve the tax report for February 2019. There was no discussion and the motion passed unanimously.

Commissioner Strickland made a motion, second by Commissioner Clark to approve the financial report as of April 22, 2019. There was no discussion and the motion passed unanimously.

Commissioner Strickland made a motion, second by Commissioner Clark to approve – Ordinance 2019-25 for recognition of grant funds for the purpose of police tasers. There was no discussion and the motion passed unanimously.

Commissioner Strickland made a motion, second by Commissioner Clark to approve – Ordinance 2019-26 for recognition of Parks & Recreation Senior Trip expenditures. There was no discussion and the motion passed unanimously.

Commissioner Strickland made a motion, second by Commissioner Clark to approve the Quarterly Report for Fire and Public Works. There was no discussion and the motion passed unanimously.

Commissioner Strickland made a motion, second by Commissioner Clark to approve – Resolution 2019-26 for Review Officer Appointments. There was no discussion and the motion passed unanimously.

Commissioner Strickland made a motion, second by Commissioner Clark to approve – Resolution 2019-27 for Municipal Records Retention and Disposition Schedule. There was no discussion and the motion passed unanimously.

OLD BUSINESS

A. Planning

1. Legislative

a. RZ 2019-01 – Cardinal Pines

Meade Bradshaw presented the staff report to the Board for a request to rezone a parcel from heavy business district to transitional district. The Planning Board recommended approval of the request from Dennis Tharrington to rezone 7.07 acres of land located at 303 Pony Road. There were no conditions.

Commissioner Beck made a motion, second by Commissioner Clark to approve RZ 2019-01. There was no discussion and the motion passed unanimously.

b. RZ 2019-03 – The Fetching Post

Meade Bradshaw presented the request to rezone the parcel from Transitional District to Residential-20 District. The Planning Board recommended approval of the request from Amy Brown-Pearce to rezone an approximately 7-acre property at 571 W. Barbee Street.

Commissioner Strickland made a motion, second by Commissioner Clark to approve RZ 2019-03. There was no discussion and the motion passed unanimously.

2. Quasi-Judicial

a. SUP 2019-04 – GREC

Mead Bradshaw presented the staff report to the Board for a request from Golden Renewable Energy, LLC to operate their business of refining diesel fuel from waste products using pyrolysis. The property was located at 517 Industrial Drive. Meade Bradshaw explained the Planning Board recommended denial of the case due to the evidence not being sufficient to support finding of fact one on the grounds of public health safety and welfare. It was stated competent material and evidence must be present for denial of a special use permit. The findings of fact were shown to the Board. There was a question if the fuel was flammable or combustible. It was stated the stored fuel was combustible liquid.

Commissioner Bumgarner made a motion, second by Commissioner Clark to approve SUP 2019-04 with the following condition:

1. Masonry screening will be required around the fuel tanks and dumpster approved at the time of zoning permit issuance.

There was no discussion and the motion passed unanimously.

b. SUP 2019-05 – Green Pace Road Commercial Center

Meade Bradshaw explained the property was approximately 32.03 acres zoned Heavy Business located at 201 Green Pace Road. The case history and concept plan were reviewed. The Planning Board recommended approval.

There was a question about who would handle the septic system. It was explained the County would issue the septic permit and was the property owner's responsibility if the septic system

failed. If public sewer became available the City of Raleigh may require the property owner to connect to the sewer line.

Commissioner Strickland made a motion, second by Commissioner Beck to approve SUP 2019-05 with conditions:

1. The property must be annexed into the Town of Zebulon prior to lot recordation;
2. A development agreement is entered into by and between the developer and the Town, on terms reasonably acceptable to the Town, regarding the future connection to sanitary sewer service prior to lot recordation. The agreement will address, but is not limited to the following discussion points:
 - a. The Town of Zebulon is not responsible for the connection or extension to the sanitary sewer service. The developer and/or lot owners are solely responsible for the cost of connection and extension of sanitary sewer service to the property;
 - b. The Town of Zebulon is not responsible for the maintenance of the septic systems on the individual lots; and
 - c. When the sanitary sewer line is extended to the property, the lots fronting on Green Pace Road will be required to connect at the expense of the developer and/or lot owners.
3. Upon dedication and acceptance of the roadway by the developer to the Town, the developer will provide a one year warranty and guaranty for the roadway;
4. The requirement of a Transportation Impact Analysis will be determined during Technical Review Committee Review; and
5. The project must receive Technical Review Committee approval from the Town of Zebulon conforming to the Code of Ordinances and Land Development Regulations.

There was no discussion and the motion passed unanimously.

NEW BUSINESS

A. Fire

1. Resolution 2019-28 – Authorize Public Auction of Pumper Truck

Chris Perry presented the staff report for the Board's consideration of approval of the use of electronic public auction to sell the 1997 pumper truck.

Middlesex Volunteer Fire Department made an offer to purchase the truck for \$50,000. It was explained GovDeals Auctions charged a 12% auction fee to use the auction website. If the truck was sold directly the Town would save the 12% fee. Chris Perry felt \$50,000 was a reasonable offer. The Board could accept the \$50,000 offer from Middlesex or could adopt the Resolution to place the truck on GovDeals for electronic public auction. There had not been any significant work done on the truck.

Commissioner Strickland made a motion, second by Commissioner Bumgarner to accept Middlesex Volunteer Fire Department's offer of \$50,000 for the 1997 Pierce Pumper Truck. There was no discussion and the motion passed unanimously.

B. Planning

1. Resolution 2019-29 – Downtown Associate Community Program Application

Teresa Piner gave background information about the Downtown Associate Community (DAC) program and application. DAC was a three year program and was a requirement to move up to the full Main Street Program. The program was very competitive with only four communities would be accepted. The qualifications of the program were stated to the Board.

Commissioner Strickland made a motion, second by Commissioner Clark to accept Resolution 2019-29. There was no discussion and the motion passed unanimously.

2. Interlocal Agreement – Wake County to Administer Zebulon’s Stormwater and Erosion and Sedimentation Control Ordinance

Teresa Piner presented the staff report for renewal of the Interlocal Agreement with Wake County to continue administration of the Town’s stormwater and erosion and sedimentation control ordinances. There were no changes proposed to the Interlocal Agreement.

Commissioner Bumgarner made a motion, second by Commissioner Moore to adopt the Interlocal Agreement for Wake County to administer Zebulon’s stormwater and erosion and sedimentation control ordinance. There was no discussion and the motion passed unanimously.

C. Public Works

1. Facility Use Request – Relay for Life East Wake

Chris Ray asked the Board to consider Relay for Life’s request to use the Municipal Complex. The event was moved from the Five County Stadium to the Municipal Complex in 2017 and was a successful event. Chris Ray asked that they be granted approval for the next three years to use the Municipal Complex for the event. The set-up would begin at 2:00pm and clean-up would be completed by midnight. Relay for Life East Wake requested a waiver of the \$1,000 facility use fee.

Commissioner Strickland made a motion, second by Commissioner Clark to approve the Facility Use Request from Relay for Life East Wake. There was no discussion and the motion passed unanimously.

D. Administration

1. Budget Presentation FY 2019-2020

Joe Moore began the budget presentation by reviewing the statutory requirements as well as the budget schedule and process. The budget work sessions would be May 14, May 22, and May 30. The public hearing would be June 3 for the Board to consider adoption. The budget ordinance had to be adopted no later than July 1.

Joe Moore detailed the goals and features by explaining how population was increasing, use of land was changing with land development and the Town of Zebulon needed to have the capacity and capability to handle the changes. The budget goals for a vibrant downtown included revitalizing downtown and bringing people downtown. The UDO would make it easier for people to bring businesses downtown. A town commons and downtown parking were mentioned.

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The budget goals of growing smart were to meet transportation needs and support a growing community. Updates to the Zebulon Transportation Plan, Land Use Plan, and Parks and Recreation Master Plan were included in the budget.

The budget goals of small-town life increased walkability and connectedness through new sidewalks. As well as, increase citizen engagement through programs, events, festivals, civics, and citizen academies.

Joe Moore went over the budget changes from FY '19 to the FY '20 proposed budget. The next budget work session was May 14 and would include the IT position, Chambers AV, computer replacement, and additional police parking. The May 22 budget work session would include the business retention and expansion agreement, the non-profit policy, and details about the Town commons. The May 30 budget work session would cover the Parks and Recreation Master Plan, proposed sidewalks, street paving project, intersection improvements, and possibly revising the fund balance policy. There would be a time for public input at each budget work session. The budget public hearing would be on June 3. The Board could adopt the budget on June 3 or any time prior to July 1. Copies of the budget would be available for public viewing at the Zebulon Library, Zebulon Chamber of Commerce, Zebulon Community Center, Town Hall, or on the Town of Zebulon's website.

Joe Moore asked the Board if they had any questions, there were none.

Mayor Matheny stated he would be in Hickory at the NCLM conference on May 14 and would miss the work session. Commissioner Clark also was unable to attend the work session.

BOARD COMMENTS

Commissioner Bumgarner stated there was a great turn out at May Day and the Farm Fresh Market.

Commissioner Strickland commented on what a good job Denise Nowell did organizing May Day and was sorry Friday's event was rained out.

Commissioner Moore enjoyed May Day as well.

Mayor Matheny announced the Town had been awarded a plaque from Wake County Historic Preservation in recognition of the Town Hall building being designated as an historical landmark. The plaque would be mounted on the front of the building. Mayor Matheny also stated Commissioner Strickland's home was designated as an historical landmark.

MANAGER'S REPORT

Bobby Fitts went over the following budget transfers:

Governing Body:

Moved \$1,000 from Group Insurance to Materials & Supplies.

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Finance:

Moved \$1,300 from Group Insurance - \$300 to Professional Services and \$1,000 to Printing & Copying

Administration:

Moved \$550 from Group Insurance to Telephone Service

Planning:

Moved \$5,000 from Salaries to Professional Services (to cover costs incurred for Interim Director)

Buildings & Grounds:

Moved \$4,500 from Buildings & Grounds Maintenance to Municipal Complex Maintenance

Parks & Recreation:

Moved \$5,000 from Part-time Salaries (Farmers Market) - \$1,500 to Team Uniforms, 215 to Computers and \$3,285 to Contract Services;

Moved \$5,000 from Part-time Salaries to Grounds Maintenance;

Moved \$300 from Travel & Training to Printing & Copying

Commissioner Clark made a motion, second by Commissioner Bumgarner to adjourn. There was no discussion and the motion passed unanimously.

Adopted this the 3rd day of June, 2019.




Robert S. Matheny—Mayor


Lisa M. Markland, CMC—Town Clerk